United Nations S/PV.5894

Security Council

Sixty-third year

Provisional

5894th meeting

Monday, 19 May 2008, 10 a.m.

New York

President:	Ms. Pierce	(United Kingdom of Great Britain and Northern Ireland)
Members:	Belgium	Mr. Belle
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Weisleder
	Croatia	Mr. Jurica
	France	Mr. Lacroix
	Indonesia	Mr. Kleib
	Italy	Mr. Spatafora
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Arias
	Russian Federation	Mr. Churkin
	South Africa	Ms. Qwabe
	United States of America	Mr. Khalilzad
	Viet Nam	Mr. Bui The Giang

Agenda

The situation in Bosnia and Herzegovina

Letter dated 6 May 2008 from the Secretary-General addressed to the President of the Security Council (S/2008/300)

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08-34548 (E)

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Letter dated 6 May 2008 from the Secretary-General addressed to the President of the Security Council (S/2008/300)

The President: I should like to inform the Council that I have received letters from the representatives of Bosnia and Herzegovina, Serbia and Slovenia, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

I request the Protocol Officer to escort His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, to a seat at the Council table.

Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, was escorted to a seat at the Council table.

The President: On behalf of the Council, I extend a warm welcome to Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina.

At the invitation of the President, the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Miroslav Lajčák, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

It is so decided.

I invite the High Representative to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I should like to draw the attention of the members of the Council to document S/2008/300, which contains the text of a letter dated 6 May 2008 from the Secretary-General transmitting the thirty-third report on the implementation of the Peace Agreement on Bosnia and Herzegovina.

At this meeting, the Security Council will hear a briefing by His Excellency Mr. Miroslav Lajčák. I now have the pleasure of giving him the floor.

Mr. Lajčák: When I spoke to the Security Council some six months ago we faced what many would describe as a political crisis. I am pleased to inform the Council today that the situation has improved noticeably. The country of Bosnia and Herzegovina has taken a significant step towards the stabilization of the political situation. It is on the verge of signing a Stabilization and Association Agreement with the European Union (EU) and is moving towards NATO membership. The Council will have seen much of the detail in my most recent report (S/2008/300). In addition, in February, the Peace Implementation Council Steering Board reached consensus on a set of clear conditions for transition from the Office of the High Representative to a European Union special representative.

It is all too easy to get lost in the microcosm of Bosnia and Herzegovina's ethnically dominated politics. However, we must keep our eyes on the bigger picture. I hope that my update will give the Council a clear understanding of the overall situation.

For the sake of clarity, I would like to divide my speech into three parts. First of all, I will update the Council on developments and what has been achieved since my last report. I will then set out where we are now. Finally, I want to outline the future challenges we will face in Bosnia and Herzegovina.

The first task in the reporting period was to resolve the political crisis of last November. At the end of November, my negotiations with party leaders

resulted in an agreement to improve the efficiency of the voting procedures in Bosnia and Herzegovina's parliament and Council of Ministers. My second priority was to help Bosnia and Herzegovina to make progress in order to sign the Stabilization and Association Agreement with the European Union. Following the resolution of the November crisis, I facilitated talks between the leaders of Bosnia and Herzegovina's six governing parties on the key EU condition: police reform. The six party leaders reached an agreement on police reform that became known as the Mostar Declaration and Action Plan. The EU welcomed that long-awaited agreement by initialling the Stabilization and Association Agreement on 4 December, with the full signature of the Agreement remaining conditional on parliament's adoption of the two police reform laws.

Despite the subsequent rejection of the Mostar agreement by one of the leading Bosniak parties, the parliament of Bosnia and Herzegovina finally passed those two laws on 16 April. With the legislation in place and progress on all the other conditions required for the signing of the Stabilization and Association Agreement, EU Commissioner Olli Rehn recommended to EU member States to proceed with the signing of the Agreement. The signing ceremony will take place on 16 June at the meeting of EU foreign ministers in Luxembourg. That was a hard-fought victory that required constant involvement by the international community and lobbying to negotiate the Agreement.

In February, the international community took a major step forward in defining its strategy for transition from the Office of the High Representative. The Peace Implementation Council Steering Board met to discuss a wide range of issues but focused on defining a conditions-based strategy for transition from the Office of the High Representative to the EU Special Representative. The Peace Implementation Council reached unanimous agreement on a strategy based on five objectives and two conditions that have to be delivered by the authorities of Bosnia and Herzegovina before the transition can take place.

The five objectives that will need to be delivered by the authorities of Bosnia and Herzegovina are, first, an acceptable and sustainable resolution of the issue of State property; secondly, an acceptable and sustainable resolution of the question of defence property; thirdly, the completion of the Brcko Final Award; fourthly, fiscal sustainability; and, fifthly, the entrenchment of the rule of law.

In addition to those objectives, the Peace Implementation Council Steering Board agreed that two conditions needed to be met: the signing of the Stabilization and Association Agreement, and a positive assessment of the situation in Bosnia and Herzegovina by the Peace Implementation Council Steering Board.

One of the conditions of the rule of law benchmark — the adoption of the law on the stay of aliens and asylum — was adopted at the beginning of April. An agreement was signed at the end of March between the State and entities on movable defence property. That contributed to Bosnia and Herzegovina's securing intensified dialogue with NATO at the Bucharest summit, thereby allowing the country to take another important step towards NATO membership. There has also been progress on other issues, and we are expecting further results over the summer.

Although all of those priority reform areas were established a long time ago and all were previously recognized by the authorities of Bosnia and Herzegovina as obligations, achieving those objectives will not be easy. Following Kosovo's declaration of independence, some analysts expected that to there would be increased political tensions in Bosnia and Herzegovina. However, public reaction was relatively muted. Public order was maintained, and there was certainly no official support for the more extreme manifestations of Serb anger over Kosovo's declaration.

Public demonstrations against Kosovo's independence in Republika Srpska were relatively small-scale and were easily contained by the police of Republika Srpska. However, the leadership of Republika Srpska officially linked the future status of that entity with the status of Kosovo. At the end of January, Republika Srpska's ruling party, the Alliance of Independent Social Democrats (SNSD), called for the transformation of Bosnia and Herzegovina into an asymmetric federation or confederation and claimed that Republika Srpska had the right — supposedly based on the Charter of the United Nations — to self-determination, up to and including secession. The National Assembly of Republika Srpska raised the stakes in February when it passed a resolution stating that Republika Srpska could have the right to establish

its future legal status by means of a referendum. The resolution claimed that that right would be triggered should a majority of EU member States recognize the independence of Kosovo. That was the first time that such a claim had been officially made by an institution of Republika Srpska. I reacted to this in a public statement and stressed that Bosnia and Herzegovina is an internationally recognized State, whose sovereignty and territorial integrity is guaranteed by the Dayton Peace Agreement. The entities of Bosnia and Herzegovina have no right to secede from Bosnia and Herzegovina. Equally, no one has the right to call for or seek abolition of the entities.

The position of the Peace Implementation Council's Steering Board was also explicitly clear when, in the declaration annexed to the report before the Council it unanimously expressed "deep concern with regard to official calls for secession", adding that it "strongly emphasizes that under the Dayton Peace Agreement an entity has no right to secede from Bosnia and Herzegovina".

More generally, both entities continue to pursue their own agendas at the expense of the State. There have been numerous rhetorical attacks on State institutions, including the State judiciary and State public broadcasting service, from both sides.

Republika Srpska has signed, without the consent of the State, an agreement with the Republic of Serbia allowing the Serbian Government to build a bridge over the Sava river. Republika Srpska has also illegally adopted legislation that confers on it the right to issue financial bonds — again, a clear State competency.

The Federation Government, on the other hand, kept increasing payments to war veterans and other social transfers, despite repeated warnings from the International Monetary Fund and the World Bank that, in the medium term, neither entity nor State governments have the necessary funding. The Federation Finance Minister has already warned that the Federation is close to bankruptcy and is unable to meet those obligations. It is of additional concern that the Bosniak parties outvoted their Croat counterparts, both in the Government and in the parliament, to approve the increase in payments to veterans. That decision increased political tensions between the two ethnic groups and is indicative of broader concerns about the position of the Croats in the Federation.

I should also mention that recent calls by three senior Bosniak politicians for Srebrenica to secede from Republika Srpska were clear anti-Dayton statements and only served to increase tensions with the Serbs.

Regarding cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY), it is the assessment of both the ICTY and the European Commission that the cooperation of Bosnia and Herzegovina with the Tribunal is satisfactory. I share that view, but remain ready to assist the ICTY in fulfilling its mandate, should it request it.

In April, our attention was once again focused on Srebrenica, where there have been concerns about participation in forthcoming municipal elections by Bosniaks who have not yet returned to Srebrenica. Playing a facilitating role, together with some members of the international community, two weeks ago we assisted the local authorities in changing the election law of Bosnia and Herzegovina, enabling all those who lived in Srebrenica before the war to register to vote in that municipality regardless of where they live now. That was a significant development in terms of substance, but also in terms of the fact that there was full agreement on such a sensitive issue. That is the sort of political maturity we need to see much more of, not only on Srebrenica, but on all political challenges the country will face.

This is where we currently stand. As I noted, the main recognition of the country's progress is the fact that in a few weeks it will sign its first concrete step in the EU integration process. That has enormous significance for the country. The question now is not if further European Union integration is desirable; it is how and when it is to be achieved. Progress will not come on its own. Hard work and difficult compromises mark the way ahead. I know from the experience of my own country that the challenges of EU membership are not to be underestimated. Ultimately, a country and its political class must have a vision of themselves as a member of the EU that has earned the right to stand shoulder to shoulder with the other members of the Union.

We as the international community also have a role to play and must play it professionally. The EU integration agenda and the perspective of Euro-Atlantic integration is our only positive leverage to encourage

the political elite to overcome their differences, reach consensus and make progress.

However, we must be aware that in Bosnia and Herzegovina, the EU agenda has competition. Nationalism remains strong, and the forthcoming campaign for municipal elections will lead to a rise in inflammatory rhetoric. Unfortunately, we must not be in any doubt that that is not just a short-term phenomenon. Nationalist politics is ever-present, constantly exerting an undertow away from the positive dynamic of European integration. The simple arithmetic is: nationalism means votes, and it has been a successful recipe for winning elections. The fact of the matter is that, until recently, EU integration had become collateral damage to that calculation.

To avoid further disputes, what is required is a strategic agreement on the distribution of competencies between the State and the entities, so that Bosnia and Herzegovina can focus on its EU integration process. That is, after all, what the people of Bosnia and Herzegovina want. They wholeheartedly wish to join the European Union. They are every inch Europeans, and we need to help them get there.

Clearly, much remains to be done. My priority for the coming period is to assist the local authorities to deliver further progress on the five objectives and two conditions for closure of the Office of the High Representative. With regard to the transition from the Office of the High Representative to the European Union Special Representative, the June meeting of the Peace Implementation Council Steering Board is likely to be a good opportunity to assess progress since February, but it will probably be too early for a clear view on progress on all the objectives.

My Office is fully engaged with the local politicians and officials to achieve the maximum progress possible. With progress in several fields ongoing, we are looking to transfer as much responsibility as possible ahead of a decision on complete transition. The Peace Implementation Council will then meet again in October, and it will most likely provide a comprehensive review of the objectives and conditions required for transition.

Finally, I want to turn to consideration of the challenges for Bosnia and Herzegovina in the coming six months. The overarching political challenge remains the same: how to deliver political agreements and agreement on reforms in a political system where the three communities have conflicting visions of the future of the country. Those conflicts play themselves out on a daily basis in the form of opposite views on almost every single issue on the agenda of the Government. I am sure that the Chairman of the Council of Ministers, who is present here, will confirm that observation.

It is in that context that I will seek to assist the authorities to deliver the five objectives and two conditions for closure of the Office of the High Representative. It will clearly not be easy, but it must be completed so as to re-orient the engagement of the international community and to transfer as much responsibility as possible to local institutions.

At some point, the parties will have to come together to address these issues through constitutional reform. In early February, political leaders decided to postpone discussion on constitutional reform until after the Stabilization and Association Agreement signing. At present, their proposals are at such wide variance that the issue runs the risk of becoming a renewed political battleground before serious discussions have even begun.

There is a limited window of opportunity in the period after the municipal elections and before the 2010 general elections. However, we cannot afford a setback of the kind we had after the April 2006 amendments were rejected. Even when the parties demonstrate readiness for compromise, it will still be necessary for the international community to facilitate the process.

Let me be clear: important progress has been made, but the international community's job in Bosnia and Herzegovina is not completed. It is foreseen that the European Union will take the lead international community role in Bosnia and Herzegovina, following the transition from the Office of the High Representative to the EU Special Representative. Now is the time to begin planning for the future leading role of the European Union, not only in terms of its own policy and capacities, but also in terms of how it will cooperate with other international community actors on the ground.

As always, developments in Bosnia and Herzegovina will require careful handling. Our immediate task will be to ensure that political tensions during the municipal elections do not cause a serious deterioration in the political atmosphere.

An important challenge for the Bosnia and Herzegovina authorities will be the implementation of the Stabilization and Association Agreement, which contains not only benefits, but also obligations. The signing of the Stabilization and Association Agreement means that everyone now has to deal with the future. Problems often develop as Bosnia and Herzegovina's leaders frequently remain stuck in the past. That will need to be reflected in the EU's future overall engagement in Bosnia and Herzegovina, as well as in the engagement of the United Nations with Bosnia and Herzegovina.

We have come a long way. The prospect of EU integration — the only positive alternative for Bosnia and Herzegovina's future — is advancing. We need to ensure that the leaders of Bosnia and Herzegovina make the most of that opportunity. The citizens of Bosnia and Herzegovina deserve a European future. They must have full confidence that we are here to help.

The President: I thank Mr. Lajčák for his informative briefing.

I now call on Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina.

Mr. Špirić (Bosnia and Herzegovina) (*spoke in Bosnian; interpretation provided by the delegation*): At the outset, let me express my pleasure at being here again since my last visit in November 2007, although in significantly different circumstances.

As members may recall, Bosnia and Herzegovina experienced major turbulence in November 2007. I am pleased to report today that our authorities have demonstrated the sense of dialogue and compromise so badly needed if Bosnia and Herzegovina is to succeed, proving that we are able to manage a crisis and not be managed by it.

Since November 2007, many positive developments have taken place in my country. The Council of Ministers functioned as a caretaker Government between October 2007 and February 2008, but that did not prevent us from addressing the numerous challenges and difficult tasks before us. European integration and full membership in NATO have been the two main guidelines of our work. Brussels recognized our work by initialling the Stabilization and Association Agreement, and NATO by introducing intensive dialogue with Bosnia and Herzegovina, which we strongly appreciate. At the same time, it has encouraged us to continue working to meet the requirements for full NATO membership.

The initialling of the Stabilization and Association Agreement posed many challenges to the Council of Ministers, the most serious of which was police reform, an issue that remained pending after many unsuccessful attempts to resolve it. The Council of Ministers took the lead role in that reform. Although the parliamentary majority showed a lack of willingness and understanding in support of the reform at the very last moment, I am particularly glad that the Parliamentary Assembly of Bosnia and Herzegovina adopted the proposed legislation, whereby we fulfilled the final political condition for signing the Agreement.

I hope that lessons have been learned from the earlier failures of domestic institutions to assume the lead role in the reform process. Those institutions should not be bypassed or completely excluded, as was the Council of Ministers of Bosnia and Herzegovina. We now rightly expect Brussels to set the date for the signing ceremony and for the institutions of Bosnia and Herzegovina to continue fulfilling the conditions that the Steering Board of the Peace Implementation Council has defined.

The Council of Ministers has adopted numerous important laws and decisions, including a law on pharmaceuticals and medical devices, a law on the Fiscal Council, a law on the protection and rescue of humans and assets from natural and other disasters, a law on agriculture and rural development, a law on sports and others. We expect timely action by the Parliamentary Assembly of Bosnia and Herzegovina to adopt the proposed legislation.

Special emphasis has been placed on educational reform, ultimately supported by the adoption of a law on vocational education and training, a decision on adopting documents necessary for the further implementation of the Bologna process in Bosnia and Herzegovina, a decision to establish a centre for information and recognition of higher education diplomas, and a decision to establish the Higher Education Development Agency. Together with the Entity Prime Ministers and the Mayor of Brcko District, I signed a memorandum of understanding establishing the Conference of Ministers of Education in Bosnia and Herzegovina as the highest standing advisory body in that field. The establishment of that

agency and its successful functioning will encourage the coordination of the activities of all bodies and institutions working in the field of education.

Cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY) is an issue that has long burdened domestic institutions and relations within Bosnia and Herzegovina. The Council of Ministers is fully committed to the final resolution of that issue and the closing of that chapter. We are doing our utmost in that respect. Domestic institutions, together with representatives of international agencies, exert continuous pressure on persons suspected of aiding war-crimes suspects. The representative of the European Union monitoring mission, who evaluates reform processes in Bosnia and Herzegovina, has assessed the cooperation of Bosnia and Herzegovina with the ICTY as satisfactory. We will pursue our hard work on public administration reform, on which visible though insufficient progress has been achieved recently.

With respect to the economy, we may agree that it is not yet satisfactory, but it is unquestionably on the right track. The real growth rate of the gross domestic product in 2007 was 6.1 per cent. The projected growth rate in 2008 is 6.5 per cent, and further growth is expected in 2009 and 2010. A major contribution to economic growth is expected from an increase in exports, industrial production and investments, and particularly from foreign investments, which are demonstrating continuous growth. Direct foreign investments in Bosnia and Herzegovina reached record highs in 2007.

The main problem in Bosnia and Herzegovina's economy remains the high unemployment rate, the optimal solution of which is an increase in green-field investments. For that reason, together with the Entity Prime Ministers, I have decided to support the convening of the Crans Montana Forum in Bosnia and Herzegovina in order to ensure the positive promotion of Bosnia and Herzegovina and to attract foreign investments.

All of this testifies to the progress that has been achieved in Bosnia and Herzegovina, but, honestly speaking, certain outstanding obligations remain. We have not succeeded in adopting a State property law, reaching agreement on a methodology for determining the permanent ratio for VAT revenue distribution, or adopting a justice sector reform strategy or a war crimes strategy. We will continue to hard work on those issues, and I am convinced that we will reach mutually acceptable solutions.

Constitutional reform is one of the ongoing challenges we face. My position on the issue is clear. Constitutional reform cannot be based on denials, either of the Washington or of the Dayton Agreements. Therefore, I recommend to all that we revert to the original form of the Washington and Dayton Agreements. I would like openly to warn those who seek to challenge the Dayton Agreement that such an approach can jeopardize the results already achieved. Updating the agreement is possible and desirable, but it has to be the result of internal consensus and compromise and never imposed from abroad.

The Bosnia and Herzegovina Constitution should be reformed in such a way as not to represent an obstacle to Euro-Atlantic integration. A denial of the Entities, which some promote, is not a precondition of successful constitutional reform and could even generate instability, with unforeseeable consequences.

Please allow me to underline the importance of an issue that has somehow been marginalized, either intentionally or not. The rule of law is the foundation on which the future of Bosnia and Herzegovina and the legal protection of its citizens are based. Building the rule of law is the only guarantee that Bosnia and Herzegovina will be a reliable partner of the international community. If some in our country — even ministers or other high dignitaries of power — are allowed to believe themselves to be above the law, I am not sure that we will be perceived as reliable partners to anyone. In that regard, I hope for the strong support of the international community and this body.

Once again, let me take this opportunity to stress that Bosnia and Herzegovina is committed to good neighbourly relations and regional cooperation, which we consider to be important to our common aspiration to European integration.

Finally, I would like to thank the High Representative for his new approach, which includes raising awareness of the importance of reforms in Bosnia and Herzegovina without using his Bonn powers.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): The Chinese delegation wishes to thank the High Representative, Mr. Lajčák, for his briefing and

appreciates his efforts to promote the political process in Bosnia and Herzegovina. I also wish to welcome to today's meeting His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and to thank him for his statement.

Since last year, Bosnia and Herzegovina has taken positive measures in the areas of police reform, economic development, consolidating the rule of law and national integration. The political process in Bosnia and Herzegovina has continued to yield progress. However, elements of instability still exist. Susceptible to developments in neighbouring regions, the situation remains volatile and sensitive, as pointed out by the High Representative in his report.

Bosnia and Herzegovina is uniquely vulnerable to political instability in the region, as it and Kosovo are closely related to each other in terms of geography, history, religion and ethnicity. Kosovo's unilateral declaration of independence on 17 February has had a negative impact on the situation in Bosnia and Herzegovina, leading to a number of worrisome developments. China believes that all parties concerned should, in considering relevant issues, remain focused on the long-term peace and stability of Bosnia and Herzegovina and of the Balkan region as a whole.

China respects the sovereignty and territorial integrity of Bosnia and Herzegovina. We hope that all parties will, in accordance with the Dayton Agreement, work together in a spirit of sincerity to promote the political process and to make greater progress in the fields of constitutional reform and institution-building, with a view to maintaining lasting stability and prosperity in Bosnia and Herzegovina.

China welcomes the prospects for the integration of Bosnia and Herzegovina into the European Union (EU). We believe that the High Representative should continue his extensive consultations with all the parties and, on the basis of the mandates provided for by the Dayton Agreement, urge Bosnia and Herzegovina to take constructive measures so that major steps can be taken on its path towards joining the EU.

Meanwhile, we welcome the important role that the EU continues to play in safeguarding security and stability and promoting economic and social development in Bosnia and Herzegovina. China will continue to support the High Representative in carrying out his mandate and is prepared to join the rest of the international community in providing the assistance necessary for the achievement of lasting peace, stability and development in Bosnia and Herzegovina.

Mr. Belle (Belgium) (*spoke in French*): I should like at the outset to thank the High Representative, Ambassador Lajčák, for his presentation and for his report to the Security Council (S/2008/300, annex, enclosure). I should also like to thank His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, for his statement.

Belgium aligns itself with the statement to be made shortly by the Permanent Representative of Slovenia on behalf of the European Union.

Like the High Representative, Belgium welcomes the progress of Bosnia and Herzegovina with a view to its integration into Euro-Atlantic structures. The decision by the European Union (EU) to sign a Stabilization and Association Agreement with Bosnia and Herzegovina demonstrates that results can be achieved on essential reforms. Here, I am thinking primarily of the first phase of the police reform. At the same time, my delegation welcomes NATO's decision to accord intensified dialogue to Bosnia and Herzegovina. Belgium is convinced that that progress will constitute factors of stability not only for Bosnia and Herzegovina, but also for the region.

Despite that significant progress, there are still many challenges for Bosnia and Herzegovina to face. I should like to highlight two of them.

First, Belgium shares the concerns related to the threats posed by changing the constitutional order through unilateral actions. Constitutional reform is certainly necessary to consolidate internal political stability. Like the High Representative, we note that the positions of the various communities on this subject remain diametrically opposed. My delegation can only call on the major actors to be pragmatic. In that regard, the agreement reached in Bosnia and Herzegovina's parliament on holding local elections in Srebrenica is a positive example. Furthermore, Belgium will follow very closely the preparations for the 5 October local elections.

Secondly, my country continues to stress its commitment to full cooperation on the part of the authorities of Bosnia and Herzegovina, in particular Republika Srpska, with the International Criminal Tribunal for the Former Yugoslavia.

Belgium fully supports the 27 February declaration of the Steering Board of the Peace Implementation Council (see S/2008/300, annex, enclosure), which links a possible closing of the Office of the High Representative to the fulfilment by Bosnia and Herzegovina of five objectives and two conditions set out in that declaration. We thus call on the authorities of Bosnia and Herzegovina to implement the terms of the declaration.

Finally, Belgium reaffirms its full support for the provisions of the Dayton Agreement. We also reaffirm our appreciation of and support for the work of the High Representative, who is also Special Representative of the European Union.

Mr. Spatafora (Italy): First of all, let me welcome the High Representative, Ambassador Lajčák, and the Chairman of the Council of Ministers of Bosnia and Herzegovina, Mr. Špirić. Let me also join others in thanking the High Representative for his very clear and focused report on the situation in Bosnia and Herzegovina, and let me express Italy's strong appreciation and strong support for his past and future efforts.

Italy fully aligns itself with the statement to be delivered later by the Permanent Representative of Slovenia on behalf of the European Union. I would just like to add a few remarks, drawing on our national experience.

There have indeed been significant developments during the time frame examined in the report. Despite the many and very relevant difficulties highlighted so eloquently in the report of High Representative Lajčák — especially in the second and third parts, regarding where we are and the challenges ahead — as well as in the statement by Chairman Špirić, the country is moving ahead. Peaceful and constructive coexistence and interaction among all the components of Bosnia and Herzegovina society have been strengthened. In a nutshell, I would say that, as highlighted by Ambassador Lajčák, "the situation has improved noticeably" and "The country ... has taken a significant step towards the stabilization of the political situation." These are two points that form the backdrop against which we have to move.

While some had feared the impact that Kosovo's declaration of independence would have on Bosnia and Herzegovina's political and institutional architecture, Sarajevo has achieved landmark results in this period. The parties have reached an agreement on political reform, as has been recalled, and a Stabilization and Association Agreement has been initialled and will soon be signed, showing once again that the European Union accession process is our best tool for generating yet more progress. The NATO summit in Bucharest launched the intensified dialogue with Bosnia and Herzegovina in the lead-up to the membership action plan. And last but not least, a fruitful compromise has been reached on the delicate issue of municipal elections in Srebrenica, for which I wish once again to commend the brokering role of High Representative Lajčák. Bosnia and Herzegovina is moving steadily in the right direction, and the international community has contributed to consolidating this process.

But despite all this important progress, many concerns still need to be addressed. And the Chairman was very clear on this. Tensions continue to flair periodically, and the political forces have questioned the arrangements of the Dayton Peace Agreement. Constitutional reform is a priority for the establishment of a functional State in Bosnia and Herzegovina, but it does not seem to at hand, at least according to what we have heard. The closure of the Office of the High Representative and the transition towards the European Union Special Representative phase were postponed. As a Peace Implementation Council Steering Board member, Italy joined in that decision, which we believed was wise.

At the same time, we remain convinced that the principle of ownership must be upheld and that it must produce tangible results when the situation on the ground is right. The reform process can be kept on track, we believe, through accurate management and effective synergies between local authorities and political forces on one hand, and the international community on the other. Decisive progress can be achieved in the next few months on the five objectives and the two conditions that the Peace Implementation Council Steering Board has identified for the transition of the Office of the High Representative to the European Union Special Representative. I wish to stress once again that now that signing the Stabilization and Association Agreement has been given the green light, a positive assessment of the overall situation by the Peace Implementation Council seems closer.

In the past six months there have been moments of growing political tension and divisive confrontation followed by phases of constructive and fruitful

dialogue that have produced excellent results, as I have outlined above and as we have heard this morning. I hope that the virtues of dialogue and compromise will prevail in the upcoming months to benefit not only the political forces but especially of the people of Bosnia and Herzegovina.

I would like to conclude by recalling a vision that was put forward by the Chairman, Mr. Špirić, when he said "Building the rule of law is the only guarantee that Bosnia and Herzegovina will be a reliable partner for the international community." That is the central point.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We welcome the participation in this meeting of the Chairman of the Council of Ministers of Bosnia and Herzegovina, Mr. Špirić. We are grateful to the High Representative for Bosnia and Herzegovina, Mr. Lajčák, for his report to the Council on developments in Bosnia and Herzegovina.

We note the agreements achieved by the Bosnian sides, on the basis of the Dayton Agreement, on the parameters for police reform and the subsequent adoption by the country's parliament of the two relevant laws. The major tasks stemming from the Dayton Peace Agreement have, on the whole, been implemented. A convincing argument for this, we believe, is the planned signing in the coming days of the Stabilization and Association Agreement between Bosnia and Herzegovina and the European Union.

The major imperative for the coming period must remain a policy to transfer responsibility for the fate of the country from international structures to the legally elected Bosnian authorities. The long-awaited fulfillment of the specific criteria outlined in February of this year by the Steering Board of the Peace Implementation Council is necessary. Their major purpose is to ensure conditions for reducing the Office of the High Representative and its transition into the Office of a European Union Special Representative.

We will further lend comprehensive support to the efforts of Mr. Lajčák in the reduction of the activities of the Office of the High Representative. We hope that the participants in the Steering Board will show political wisdom and will not artificially drag out the reduction of the Office by making the adoption of such a decision dependant on an expanded interpretation of the positive assessment of the situation in Bosnia and Herzegovina. It is quite clear that the situation in Bosnia and Herzegovina is no worse than in a number of other States in the Balkan region, where there are no high representatives.

In this context, we advocate the earliest possible conclusion of the legal procedures for the implementation of Brcko arbitration verdict. As this municipality is defined as being under the joint authority of the Republika Srpska and the federation of Bosnia and Herzegovina; the idea being floated of withdrawing it from joint governance and turning it de facto into a third Bosnian entity is in contradiction with the country's Dayton constitution.

We are counting on the positive role of the European Union in supporting stability in Bosnia and Herzegovina. We are convinced that it should be carried out on the basis of strict compliance with peace agreements and the basic principle of consensus on the part of the Bosnian sides. We favour a decision that is designed to allow municipal elections in Srebrenica in a calm atmosphere. We find any arbitrary actions designed to violate the territorial jurisdiction of entities unacceptable.

On the whole, we believe that the situation in Bosnia and Herzegovina has improved since the serious political crisis in the autumn of 2007. This constitutes grounds for continuing the international community's policy for the transition of its presence in Bosnia and Herzegovina.

Mr. Jurica (Croatia): Allow me first to welcome and to thank the High Representative and European Union Special Representative, Mr. Lajčák, for his report at today's briefing. I would also like to welcome His Excellency Nikola Špirić, Chairman of the Council of Ministers and thank him for his briefing.

My delegation welcomes the important progress on the reforms required for Bosnia and Herzegovina to integrate into Euro-Atlantic institutions, which we see as the paramount goal and the common future for all countries of South-East Europe. Croatia has always advocated a transparent and individual approach to the countries in South-East Europe, with the same standards applying to all and where hard work and reforms are rewarded with progress in NATO and European Union integration.

When taking into consideration the complex domestic political circumstances and the tense regional climate following Kosovo's declaration of independence in February, we are pleased to welcome

the adoption of the two police reform laws on 16 April that now enable Bosnia and Herzegovina to sign a Stabilization and Association Agreement with the European Union in the near future. Moreover, we are very pleased that the agreement in late March of this year among the State and entity governments on movable defence property secured for Bosnia and Herzegovina intensified dialogue towards NATO membership's action plan.

We noted with pleasure that all the members of the Peace Implementation Council Steering Board were able to agree on a transition strategy and a future policy for the international community towards Bosnia and Herzegovina, including on the conditions for the transition from Office of the High Representative to European Union Special Representative, and we commend them for their efforts. We are glad to see that the overall goal is for transition as soon as possible and that the policy of ownership remains the principle.

We again echo the long-standing objective of the Peace Implementation Council and reiterate our position that we would like to see Bosnia and Herzegovina as a peaceful, viable State irreversibly on course for European integration. In order to achieve this, we join others in stating that constitutional reform is necessary, indeed essential, for the future of that country.

However, as the High Representative stated in paragraph 15 of his report, "reaching any domestic consensus on the matter will prove extremely difficult so long as the domestic parties' conceptions remain both antithetical and non-negotiable." We urge all parties involved to be open and flexible in their approaches so as to well enable all the constitutive peoples of Bosnia and Herzegovina to feel reassured in their individual civic and ethnic well-being and in their future.

The spirit and the letter of equality of the constitutive peoples of Bosnia and Herzegovina should be respected by domestic parties and the international community alike and should include not only political representation but also the electronic media, which should serve all three constitutive peoples to their satisfaction, based on the principle of a free and democratic media.

The Croats of Bosnia and Herzegovina are the smallest constitutive people of the country, which makes them especially sensitive. Their interests must be kept in mind, and they need to be protected. There can be no free and democratic Bosnia and Herzegovina without the Croats of Bosnia and Herzegovina. And let me emphasize this point also, to make it absolutely clear: there cannot be a whole and united Bosnia and Herzegovina as a State without Croats living in Bosnia and Herzegovina.

The Croatian people in Bosnia and Herzegovina must remain constitutionally equal with the other two peoples of the country in both entities: in the Federation of Bosnia and Herzegovina as well as in the Republika Srpska — in other words, on the entire territory of Bosnia and Herzegovina. This has to be taken into consideration as it is a fundamental interest of Bosnia and Herzegovina and therefore an interest of all three of the constituent peoples of Bosnia and Herzegovina.

In this regard, we call for additional funds to be allocated for the return of Croats to Republika Srpska in order to balance the funds invested in other areas of return in Bosnia and Herzegovina. That should also enable more people to vote in their pre-war domiciles and in that way alleviate the concerns raised by the High Representative in paragraph 8 of his report.

Also, we believe that the international community and the High Representative should invest their efforts into aiding the harmonization of the plethora of different laws that are used at this time to prosecute war crimes on different levels in Bosnia and Herzegovina, so that the principles of equality, justice and fairness are honoured and guaranteed for all the citizens of the country, irrespective of the area where they might live or the court at which they might be tried.

In addition, we echo the calls of the High Representative and the Peace Implementation Council Steering Board for Serbia to meet its legal obligations and arrest Ratko Mladic and Radovan Karadzic and transfer them to the jurisdiction of the International Criminal Tribunal for the former Yugoslavia (ICTY). As the High Representative stated, their arrest would not only help to bring about closure for the families of victims, but would also do much to remove the stigma attached to Republika Srpska and to improve inter-ethnic relations in Bosnia and Herzegovina.

My country is working hard to finalize its integration into NATO and the EU. In contrast with the 2004 and 2007 waves of enlargement, we have a

significant amount of additional negotiations with the EU to undertake in order to become ready for accession. That requires concentrated and continued hard work on the part of our entire State administration.

One of the beneficiaries of our efforts in Euro-Atlantic integration in the region is Bosnia and Herzegovina, because we are sharing our experiences and knowledge and are readily transferring the know-how gained during the course of our membership talks to our neighbours, in order to help them move faster towards Euro-Atlantic integration.

At this point, I would like to refer to paragraph 63 of the report of the High Representative, where he mentions Croatian plans to build a bridge, bypassing the territory of Bosnia and Herzegovina, and where he voices his concern that "the access of [that country] to the open sea might be impaired". I am pleased to report here that my Government has literally gone the extra mile to ensure that the concerns of Bosnia and Herzegovina are met. Our bridge, using advanced technology and spanning the Croatian mainland and the Peljesac peninsula, was raised and adapted to enable the largest of vessels to reach the port of Neum, and, in this way, we have alleviated the various concerns about access to this Adriatic port of Bosnia and Herzegovina.

Finally, while once again commending the Peace Implementation Council Steering Board countries for achieving unity regarding Bosnia and Herzegovina, I would like to take this opportunity to thank High Representative and EU Special Representative Miroslav Lajčák for his excellent work in Bosnia and Herzegovina so far.

Mr. Kleib (Indonesia): Let me start by thanking Mr. Lajčák, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, for his briefing and for his report on the latest developments in Bosnia and Herzegovina (see S/2008/300). We also wish to welcome the presence of Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and to thank him for his statement.

We are pleased to note the incremental progress that has been made by Bosnia and Herzegovina towards signing a Stabilization and Association Agreement. The signing of legislation on police reform is testament to such progress and is part and parcel of security sector reform. Further progress in the area of strengthening the system of the rule of law is crucial to the stability and development of the country.

We welcome the continued efforts of the High Representative to forge cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY). This makes an important political statement and helps to bring closure to the affected parties. Nonetheless, this important measure has to be coupled with other major efforts to facilitate smoother inter-ethnic relations.

In this regard, let me stress that dialogue, reconciliation and negotiations must be the preferred option for the resolution of any issue. The voting procedures agreed in the parliament and Council of Ministers showed the desirability of relying on negotiation, no matter how difficult and intense it may be.

Moreover, we have also duly taken note of the recommendations regarding the planned closure of the Office of the High Representative in Bosnia and Herzegovina. This recommendation is important and merits thorough consideration by the Council. Closure of the Office would certainly be an important step towards the country's self-governance. However, such a plan has to meet the five critical objectives and, above all, must be in line with the views of the Council.

Indonesia profoundly believes that the Council and the Peace Implementation Council Steering Board have to support the country in empowering itself to chart its own course of action. While various reform plans are still under way, we believe that they, as such, should not be used as preconditions. Although outside pressure might sometimes be helpful, it will not meaningfully assist the country in the long run, if it is to have to rely solely on its own strengths and address its weaknesses.

We note with concern the slow return of refugees and internally displaced persons. In this regard, we welcome the efforts of the Offices of the High Representative and of the United Nations High Commissioner for Refugees and other stakeholders to draft a new strategy to tackle this delicate humanitarian issue. We view such a strategy as being not only about providing the rudiments of modern life, as important as that is, but, more important, about building a higher level of trust between the returnees and the local population. This trust has to be nurtured carefully. The

returnees need to be convinced that they will be able to interact and live peacefully with the others. It must also be recognized that the longer it takes for them to return, the less incentive there is for them to do so.

With reference to the broad constitutional reforms, we deem it necessary that such reforms be undertaken in a careful manner and in line with the Peace Agreement. There are various constitutional reform processes and models around the world that the country can benefit from. However, efforts to implant one particular experience of constitutional reform would not serve the country's interests. The constitution should reflect the wishes of Bosnia and Herzegovina's people and embody local norms, values and wisdom. The role of the international community in this regard is to support the country in implementing its constitution.

Finally, let me reaffirm Indonesia's continued support for the political process being conducted by the High Representative in line with the Peace Agreement.

Mr. Weisleder (Costa Rica) (*spoke in Spanish*): Let me begin by welcoming Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and Mr. Miroslav Lajčák, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina and European Union Special Representative in Bosnia and Herzegovina. As the High Representative has said, his report (S/2008/300, annex, enclosure) sets out elements that reflect progress. Specifically, the 16 April adoption of the two police reform laws was the principal advance. Even though it took place after the period covered in the report of the High Representative before us today, the adoption of those two laws — which was necessary for ensuring the rule of law — was a most welcome development.

The forthcoming signing, on 16 June, of a Stabilization and Association Agreement with the European Union is another very important indication of progress. That achievement, however, required enormous effort and intense negotiations. The Agreement is of great importance both because of its content and symbolically: it is tangible evidence that, in Bosnia and Herzegovina, parties of differing ethnic groups and political views have been learning to give up something in order to reach the a higher goal. In some societies, such conduct is a given, but in others, unfortunately, that is not the case. That is why this achievement is doubly important. We congratulate the parties and urge them to continue along the same path.

According to the report of the High Representative, this tortuous political procedure for reaching agreements has frustrated the majority of the citizens of Bosnia and Herzegovina. If that is the case, and if the parties do not learn to move more quickly, there is a danger that the parties will become irrelevant. Costa Rica calls upon all citizens and political parties in Bosnia and Herzegovina to make a sustained effort to implement the principles of the Dayton Peace Agreement, an agreement which should be reflected in constitutional reform, legislation and the building of institutions.

By achieving such agreements and meeting the goals set in the work plan of the Office of the High Representative, the parties can move forward with greater speed and security on the road to economic and social development.

Costa Rica has always been committed to respect for human rights, which is the very foundation of the United Nations, and we call upon the authorities in Bosnia and Herzegovina to cooperate fully in bringing to justice those accused by judicial authorities of having perpetrated atrocities. Turning the page on a sad history of abuses and violations requires legal action — solely against those who bear responsibility, with no stereotyping or generalizations of any kind.

My country supports the High Representative and his Office in their difficult and delicate work. We encourage them to continue working towards resolving the political problems that are the core of today's difficulties, with a view to averting serious consequences in the future. Costa Rica reaffirms its commitment to the High Representative and his team and to the agreements that set out their legal powers and obligations and those of the other actors.

We also echo the view of the Steering Board of the Peace Implementation Council that the transition is the primary responsibility of those directly involved: the citizens of Bosnia and Herzegovina. The primary goal of the presence on the ground of the High Representative is to ensure compliance with the objectives and conditions set by his Office; once those objectives and conditions have been met, the Office can be closed and full control for public affairs can be transferred to the legitimate representative authorities.

Progress in the political sphere will mean that the threat of violence can recede. We therefore call upon the citizens of Bosnia and Herzegovina and their representatives to look forward, not backwards.

Mr. Bui The Giang (Viet Nam): First of all, my delegation wishes to thank Mr. Miroslav Lajčák, High Representative for Bosnia and Herzegovina, for his report on the implementation of the Peace Agreement on Bosnia and Herzegovina (S/2008/300, annex, enclosure) and for his briefing to the Council. We welcome His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and we thank him for his statement.

We have closely followed developments in Bosnia and Herzegovina over the six-month period covered by the report. We are pleased to recognize the important progress that has been made in several fields of activity in the country, most notably efforts to further stabilize the political and security situation, including the agreement among the ruling parties on police reforms and the passage of police reform laws in mid-April, enabling the European Union to initial a Stabilization and Association Agreement with Bosnia and Herzegovina; the consensus and the ensuing February decision of the Political Directors of the Peace Implementation Council Steering Board to give priority to the entrenchment of the rule of law; the adoption by the Bosnia and Herzegovina Parliamentary Assembly of the law on the residence and movement of aliens; and the better coordination and unity of efforts among parties concerned in relation to cooperation with the International Criminal Tribunal for the Former Yugoslavia.

Regarding economic development, we are encouraged by achievements as shown in the strong revenue growth registered early this year, which has resulted in a general government budget surplus. Also, we welcome the various positive actions at different levels towards a series of laws, as noted in the report. In that connection, we commend the efforts of Bosnia and Herzegovina's leaders to set their country back on path of overall socio-economic development.

However, we note with concern renewed tensions among political actors over the future constitutional make-up of the country and the role and competencies of the State, as well as statements calling for secession. We are mindful of the comment made by Mr. Miroslav Lajčák about the divisive, confrontational and self-defeating character of the country's politics. This, in our view, represents a major challenge to the implementation of the Dayton Peace Agreement, which guarantees the sovereignty and territorial integrity of Bosnia and Herzegovina. We therefore call upon the parties to work together in a spirit of reconciliation, to continue their patient search for a mutually acceptable solution regarding an integrated, multi-ethnic State made up of two entities, with guaranteed rights for the Bosniaks, Serbs and Croats living there. It is important that the constitutional reform process continue and be based on the principles set out in the Dayton Agreement. We also urge Bosnia and Herzegovina's leaders to make concerted efforts to facilitate the return of refugees and internally displaced persons to their pre-war homes, with assurances that their basic needs will be met, and to ensure dignified long-term living conditions for those unable to return for one reason or another. We also agree with the point raised by the Indonesian delegation, that the integration of refugees and internally displaced persons with the communities in which they are living is very important in that connection.

Finally, my delegation wishes to take this opportunity to express our great appreciation for the international community's assistance to Bosnia and Herzegovina in that country's regional and international integration process. We also commend the Office of the High Representative for Bosnia and Herzegovina and the European Union for the important roles in, and significant contributions to, the promotion of the country's peace, security and development. All that combined has proved to be essential not only for Bosnia and Herzegovina but also for the Balkans and Europe as a whole. Viet Nam supports all constructive efforts to that end.

Ms. Qwabe (South Africa): We also welcome the High Representative to the Security Council, and we appreciate his comprehensive report updating the Council on the current environment in Bosnia and Herzegovina. We also thank Mr. Špirić for his statement.

We wish to reconfirm our support for the High Representative and the policy of progressively handing over responsibilities to the Bosnian leadership.

South Africa encourages the Bosnian Government and the relevant parties to remain focused on the fulfilment and implementation of the five specific

objectives and the two general conditions set out at the Peace Implementation Steering Board meeting in February 2008.

Despite the fact that the Stabilization and Association Agreement is not strictly a part of the workplan of the Office of the High Representative, my delegation considers that it is important to ensure progress and stability in the region. We are therefore encouraged to note that Bosnia and Herzegovina has made progress in that regard, resulting in the initialling of the agreement in December. My delegation would like to continue to encourage all parties to ensure that the necessary conditions are met for the finalization of that process.

South Africa notes with concern the incidences in late 2007 of renewed tensions between political actors over the future constitutional makeup of the country and the role and competencies of the State. We reiterate that dialogue and cooperation are vital to ensuring effective and broad-reaching government for all of Bosnia and Herzegovina's citizens through the establishment of a stable, democratic and prosperous society.

On the issue of internally displaced persons, South Africa is encouraged by the work of the Office of the High Representative, the Office of the United Nations High Commissioner for Refugees and other stakeholders in drafting the new strategy that will be finalized and adopted later in the year. We note the focus not only on the return of those people to their homes but also on the need to sustain those who have returned. South Africa continues to believe that addressing the situation of refugees and internally displaced persons can facilitate reconciliation and State-building in Bosnia and Herzegovina, and can therefore contribute to the long-term stability of that country.

As the High Representative mentioned in his report, Bosnia and Herzegovina is uniquely vulnerable to political instability in the region. We wish to emphasize our hope that the recent developments in the region will not have an adverse effect on the progress made and that all parties in the region will avoid inflammatory statements, which have the potential to undermine the progress made and agreements reached through dialogue and negotiation. South Africa reiterates its support for all the people in Bosnia and Herzegovina and for the continuous process of moving towards a stable and vibrant democratic society in the Balkan region.

Mr. Tiendrébéogo (Burkina Faso) (*spoke in French*): Allow me also to thank Mr. Lajčák for his briefing, as well as Mr. Špirić for his statement.

The overall situation in Bosnia and Herzegovina is encouraging. My delegation would like to acknowledge the progress made in several areas, in particular as regards police reform and the adoption of legislation on the Stabilization and Association Agreement with the European Union. That should enable the country to join the European Union and to put in place the necessary conditions for lasting peace and sustainable development. We also welcome the initiatives to address the issue of refugees and displaced persons.

Despite the difficulties encountered, we urge the parties to consider all possible ways to emerge from the deadlock on the issues of constitutional reform, defence, justice and administration. Those reforms would contribute to achieving the goals set by the Peace Implementation Council Steering Board.

Reforming the economy is crucial to this country in the midst of rebuilding. We should welcome the initiatives taken and the resulting progress. We note in particular the commitment undertaken by the authorities of Bosnia and Herzegovina in signing the economic reform platform. We hope that its implementation will have a positive effect on the life of the communities and that it will support the peace process. We urge the international community to pay greater attention to that matter and to provide the necessary support.

It is also necessary to encourage initiatives aimed at inter-communal reconciliation, so as to ease the ongoing tensions among the various communities, especially given the upcoming municipal elections.

We would also like to commend the efforts of the International Criminal Tribunal for the Former Yugoslavia. We encourage all States to continue to cooperate fully with the Tribunal.

We encourage the mediation efforts and numerous initiatives of the High Representative and his Office to implement the Framework Agreement in Bosnia and Herzegovina. We urge the High Representative and the Steering Board to continue their work.

There are still key issues pending that require further efforts. The international community must continue to mobilize in order to support Bosnia and Herzegovina and peace efforts in the country in the context of the Dayton Agreement. Regional stability and security are at stake.

Mr. Lacroix (France) (*spoke in French*): I would first like the welcome the presence among us of Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, to whom we listened with great attention. I would also like to thank the High Representative, Ambassador Lajčák, for his briefing on the situation in Bosnia and Herzegovina. We welcome his efforts and the effective actions he has undertaken. We would like to assure him of our full support, in particular for his approach with regard to the future of the Office of the High Representative.

In a few moments the Permanent Representative of Slovenia will make a statement on behalf of the European Union with which France fully associates itself. I should like to make a few comments in my national capacity.

We believe that defining the goals and the conditions for ending the activities of the Office of the High Representative would ensure proper conditions for the international presence. In the coming months, we will carefully study progress in achieving the five objectives and two conditions defined last February by the Peace Implementation Council for the Peace Agreement.

The efforts of the High Representative have made it possible to remove the last obstacles to the final adoption by the parliament of Bosnia and Herzegovina of the first two laws on police reform. That reform in particular was a condition for the signing of the Stabilization and Association Agreement between the European Union and Bosnia and Herzegovina. The Bosnian parliament's adoption, on 7 May, of an amendment to the electoral law so as to allow the former inhabitants of Srebrenica dispersed by war to vote in the forthcoming municipal elections is another step in the right direction.

Those are encouraging signs of the evolution of Bosnia and Herzegovina's institutions and political parties towards greater maturity. That is especially true since those steps were achieved at a time when the western Balkans were going through a period of uncertainty. That evolution remains to be confirmed, and we must remain vigilant.

We hope that the various actors involved will continue their efforts towards the reforms necessary for the establishment of a stable and democratic Bosnia and Herzegovina and, in particular, that they will show responsibility as the October municipal elections approach. Furthermore, as the High Representative emphasized in his report, constitutional reform remains more necessary than ever.

The future of Bosnia and Herzegovina can be considered only within the framework of the sovereignty and territorial integrity of that country. In the light of certain recent initiatives and statements, the international community should vigorously recall, as was done by the Steering Board of the Peace Implementation Council in February, that any call for the secession of an entity is contrary to the Dayton Peace Agreement and is completely unacceptable.

As the Council knows, France is dedicated to combating impunity and supports the work of the international criminal tribunals. We hail the efforts of the International Criminal Tribunal for the Former Yugoslavia and the positive results it has achieved. It remains intolerable that, more than 13 years after the Srebrenica massacre, Mr. Karadzic and Mr. Mladic have not yet been apprehended. We call upon all the parties concerned, in particular the federal authorities in Bosnia, but also the two entities and Serbia, to continue to cooperate with the Tribunal to effect the arrest and transfer to The Hague of all indictees at large. That is necessary in order both to meet the international obligations of Bosnia and Herzegovina and Serbia and to successfully carry forward the necessary reconciliation process. We welcome the commitment reiterated by Mr. Špirić in that regard.

The international community's commitment to Bosnia and Herzegovina remains necessary. The European Union is aware of its responsibilities and plays a major role in that regard. It has maintained its presence throughout the country through the deployment of its multinational stabilization force in Bosnia and Herzegovina (EUFOR-Operation ALTHEA) and its Police Mission. It intends to play an even greater role in the future.

With the adoption of the police reform laws, an important stage has been completed on the path towards the European integration of Bosnia and

Herzegovina. We welcome the forthcoming signing of the Stabilization and Association Agreement, which, Mr. Lajčák has advised us, will take place on 16 June. That will respond to the common aspiration to peace and the prospect for a common future in a European context that is shared by the entire Bosnian population, regardless of their political loyalties or community of origin. Visa liberalization, which we hope will take place as soon as possible, will also be a sign of increasing integration into the European family.

The future of Bosnia and Herzegovina cannot be viewed outside the context of that of the western Balkans as a whole. The region is at a crossroads. With the final settlement on the status of Kosovo, the last remaining dispute related to the collapse of the former Yugoslavia, we have finally closed a painful chapter in the history of the Balkans and Europe that was opened in 1991. It is high time for the western Balkans to turn towards the future, and that future lies in Europe. We are indeed convinced that the common future of the peoples of the western Balkans within the framework of the European Union constitutes, after the tragedies of the 1990s, the best pledge of their reconciliation.

Mr. Ettalhi (Libyan Arab Jamahiriya) (*spoke in Arabic*): At the outset, I would like to welcome Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, and to thank him for his valuable statement. We would like also to thank Mr. Miroslav Lajčák, High Representative for the Implementation of the Peace Agreement in Bosnia and Herzegovina and European Union Special Representative, for his comprehensive briefing. We express our high regard for his efforts.

My country welcomes the progress that has been made by Bosnia and Herzegovina, referred to by the High Representative in his briefing, in particular the reforms undertaken with regard to integration into European institutions, as represented by the agreement among party leaders on a two-phase police reform. The first phase paved the way for the initialling of the Stabilization and Association Agreement with the European Union in December 2007; this was followed by the adoption of the two police reform laws.

We share the concern of the Special Representative with regard to the tensions among parties. Paragraph 8 of his report (see S/2008/300) refers to inter-party tension due to the fact that 2008 is an election year. We also share his concern about unilateral actions to which he referred, and we support his affirmation that the sovereignty and territorial integrity of Bosnia and Herzegovina, are guaranteed by the Dayton Peace Agreement. We call upon all parties to find common ground, which would allow them to bring stability to the country.

We would like to record our satisfaction at the agreement among members of the Steering Board on a transition strategy. This will help to sustain the unity of the international community on this issue. We believe that in the next phase, there should be a focus on constitutional reform, on reaching a unified position among the parties, and on consolidating the rule of law, as the Chairman of the Council of Ministers of Bosnia and Herzegovina set out this morning.

My country believes that it is important to consolidate long-term stability in Bosnia and Herzegovina. This must not be done on the basis of the horrible crimes that were perpetrated during the war in order to entrench the reality of the time. It is of ever greater importance that refugees and internally displaced persons return to their pre-war homes. They should be allowed and enabled to return home, and we should deal with any conditions that prevent them from doing so.

Secondly, all perpetrators of horrible crimes should pay the price. There must be no impunity for the perpetrators of such crimes. That is the basis on which the scope of the national strategy on the prosecution of war crimes must be determined, and we hope that the Bosnian authorities will cooperate in that respect. We welcome what has been achieved by the Chairman of the Council of Ministers in that respect. We value the efforts undertaken on Bosnia and Herzegovina by international and regional stakeholders, and we believe that continuing such efforts is important to bringing about stability, sustainable peace and the development that is needed.

Finally, I would like to express once again our high regard for the efforts of the High Representative.

Mr. Khalilzad (United States of America): I would like to welcome High Representative Lajčák, to the Security Council today, and to commend him for his outstanding performance and for the outstanding performance of his staff.

We also welcome the Chairman of the Council of Ministers of Bosnia and Herzegovina, Mr. Nikola Špirić.

The role of the High Representative remains critical in implementing the Dayton accords and in ensuring that Bosnia and Herzegovina completes its transition to a secure and stable sovereign State. I would like to reaffirm the United States' strong support for the Peace Implementation Council's decision to continue the High Representative's mandate until the authorities in Bosnia and Herzegovina fully meet the objectives and conditions endorsed by the Council in February.

Thanks to the substantial efforts of all parties involved, we have seen progress in the areas identified by the Peace Implementation Council, as the High Representative has noted in his report. We commend Bosnia and Herzegovina's passage of police reform laws that meet its requirements for concluding a Stabilization and Association Agreement. That would not have happened without the High Representative's steadfast engagement. We are hopeful that Bosnia and Herzegovina will set aside the zero-sum ethnic politics that delayed agreement on police reform and the conclusion of the Stabilization and Association Agreement for three years, and that it will sign and implement the Agreement as soon as possible.

We have also seen progress in the areas of movable defence property and rule of law legislation. We hope that the authorities in Bosnia and Herzegovina can resolve the remaining issues of State property, Brcko, a national war-crimes strategy and justice sector reform by the end of this year. In addition to those issues, which will determine when the Office of the High Representative can close, I would like to highlight four areas that the United States believes are also critical for Bosnia and Herzegovina.

First, NATO's offer of intensified dialogue so soon after Bosnia and Herzegovina's joining the Partnership for Peace is a credit to that country's progress in implementing comprehensive defence reform. We urge the country's authorities to cooperate closely with NATO and to utilize the intensified dialogue to the greatest extent possible so that Bosnia and Herzegovina may ultimately put forward its best candidacy for eventual NATO membership.

Secondly, regarding the upcoming municipal elections, we urge the politicians of Bosnia and Herzegovina to avoid the divisive rhetoric that characterized the 2006 election campaign. Such messages serve only to keep the country trapped in the past and further delay progress towards integration into Europe, a goal that is supported by the vast majority of Bosnia and Herzegovina's citizens.

Thirdly, we believe that improvements to the Dayton Constitution are needed to enable Bosnia and Herzegovina to meet the requirements for Euro-Atlantic integration. We are prepared to support the Bosnians in such an effort if they demonstrate the political will to pursue that approach. Those reforms can be achieved only with support among all three constituent peoples.

Fourthly, we would echo the comments of others underscoring the importance of cooperation with the International Criminal Tribunal for the Former Yugoslavia.

The United States remains fully committed to ensuring that Bosnia and Herzegovina completes its successful transition to a stable and secure future under democratic governance. Working closely with the High Representative, we look forward to engaging with its leadership and helping Bosnia and Herzegovina to join with its neighbours in stabilizing the entire region and taking its rightful place within the Euro-Atlantic community.

Mr. Arias (Panama) (*spoke in Spanish*): At the outset, I wish to welcome the presence here today of Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina.

We should also like to welcome and express our pleasure at seeing the High Representative and European Union Special Representative in Bosnia and Herzegovina, Mr. Miroslav Lajčák. We congratulate him on the arduous work he has done throughout almost a full year in his post. We wish him every success in the coming months, which will certainly be critical for Bosnia and Herzegovina and its future in Euro-Atlantic institutions.

It is clear that, despite major progress in implementing the Dayton Peace Agreement, Bosnia and Herzegovina still has a long way to go on its road to Europe. The major disputes between the political parties on key institutional reforms, particularly on the Constitution and the police, do not augur well for future political relations among the three nationalities of the country. Unless a political consensus is reached that transcends ethnicity and the nationalist goals that led to war in the past, the viability of the State will remain uncertain. Otherwise, the goal of the Dayton

Agreement, which was to cement peace in multi-ethnic Bosnia, may get lost en route.

We reaffirm the territorial integrity, sovereignty and political independence of Bosnia and Herzegovina and urge its political leaders to cooperate among themselves and with the High Representative to accelerate institutional reform. The future of Bosnia and Herzegovina is in the hands of its citizens, but it will also need the country's authorities to demonstrate greater leadership, courage and vision than they have in recent months.

Progress in Bosnia and Herzegovina will also require the active participation of the international community. Today more than ever, the international community has a responsibility to guide Bosnia towards liberal democracy and a free-market economy. To that end, we reaffirm the five objectives and two conditions agreed by the Steering Board of the Peace Implementation Council. Similarly, the European Union must redouble its commitment to Bosnia if that country is to meet the obligations that it has undertaken. The European Union must energetically and comprehensively maintain the responsibility it has assumed in Bosnia and Herzegovina as a priority of its members. The political transition in the Balkans can be eased only by greater stability and interaction among the people themselves.

The President: I shall now make a statement in my capacity as the representative of the United Kingdom.

I, too, would like to join fellow Council members in welcoming the High Representative and Mr. Špirić here today. We listened very carefully to what they had to say, and I should like to associate my Government with the statement that will shortly be made by the representative of Slovenia on behalf of the European Union (EU).

We are delighted to see the adoption of the important police reform legislation by the Bosnia and Herzegovina Parliament. As others have noted, that paves the way to the signature of Bosnia's Stabilization and Association Agreement with the EU. My Government will be doing all it can to sign that promptly and to ensure its adherence. We welcome the role that the High Representative has played in particular in making that achievement possible, and we welcome the recent NATO decision on intensified dialogue. Bosnia once lagged behind the rest of the Balkans in European and NATO integration, and we are pleased to note that this is no longer the case.

I should like to pick up on a few points from what we have heard today.

We welcome very much what Mr. Špirić said about cooperation with the International Criminal Tribunal for the Former Yugoslavia. We hope that all countries in the region will redouble their efforts to arrest and transfer the remaining fugitives, notably Karadzic and Mladic, indicted for the 1995 massacre at Srebrenica. We also listened carefully to what the Chairman of the Council of Ministers said about constitutional reform and about Dayton, and we note the comments made by the representative of the Russian Federation about Brcko and by the representative of Croatia about the Croatian community.

The Security Council has been engaged with the question of Bosnia and Herzegovina for at least 16 years, and some of those years have been among the most difficult that the Council has faced. Since 1995, the picture has been more positive, with the European Union (EU), NATO and the Steering Board of the Peace Implementation Council tutoring Bosnia along the path of progress, and much has been achieved. But I think it is also fair to say that much more could be achieved on NATO and EU integration if political leaders on all sides set aside language about threats of abolition or threats of secession. Those threats should not be used as excuses to prevent further practical steps from being taken to advance Euro-Atlantic integration, and constituencies outside Bosnia — including some within Bosnia's neighbours — should not vexatiously push those issues for their own ends.

Turning briefly to Kosovo, I was pleased to hear what the High Representative said rejecting suggestions of a link. I have nothing further to add on that, except that we wholly support the remarks that the High Representative and the representative of France made about Kosovo and about the fact that it was the last chapter in the Balkans' sad history and that it is time to look forward to Europe.

Finally, I would just like to assure the High Representative of our ongoing support for his efforts. We look to all of Bosnia's political leaders and other leaders in the region to fulfil their commitments to support him as he advances Bosnia's integration and its Dayton future. We will be doing all that we can to help him to that end.

I now resume my functions as President of the Security Council.

I call on the representative of Slovenia.

Ms. Štiglic (Slovenia): I have the honour to speak on behalf of the European Union (EU). The candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia and the countries of the Stabilization and Association process and potential candidates Albania, Montenegro and Serbia, as well as Ukraine, the Republic of Moldova and Armenia, align themselves with this declaration.

At the outset, I would like to thank Mr. Miroslav Lajčák, High Representative for Bosnia and Herzegovina and EU Special Representative, for his report (S/2008/300, annex, enclosure) and for today's briefing on developments in Bosnia and Herzegovina. I would also like to welcome His Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina, to today's Security Council meeting.

Since the last discussion on this subject in the Security Council (see S/PV.5782), important developments have taken place in Bosnia and Herzegovina. The long-expected police reform is on track, with two police laws having been recently adopted, in implementation of the first phase of police reform. We would like to remind the Council that the agreement on police reform was one of the necessary conditions for concluding a Stabilization and Association Agreement with the European Union.

In addition to police reform, there are three other key priorities with regard to which progress has been noted: building up the country's public administration, implementing public broadcasting legislation and cooperating with the International Criminal Tribunal for the Former Yugoslavia. Thus, while there are still shortcomings, there are no obstacles to the signing of the Stabilization and Association Agreement with Bosnia and Herzegovina, which will take place as soon as technical preparations are concluded.

The Stabilization and Association Agreement will be an essential framework for the relations between the European Union and Bosnia and Herzegovina, and it constitutes an important element in ensuring stability and strengthening dialogue within Bosnia and Herzegovina. We call on Bosnia and Herzegovina to undertake all efforts to begin implementing the Stabilization and Association Agreement immediately after its signature.

We note in the report of the High Representative and EU Special Representative that in this election year, inter-party and inter-community tensions remain fraught. We encourage all political forces of Bosnia and Herzegovina to unite their efforts to pursue with strong determination the reform agenda, including the priorities set out in the European Partnership Programme.

Constitutional reform is essential for the future of Bosnia and Herzegovina. While they are not preconditions for concluding the Stabilization and Association Agreement, Bosnia and Herzegovina will need an efficient, functional and affordable constitutional framework and sustainable State structures and institutions to meet the challenges of European integration.

The Peace Implementation Council Steering Board determined in February that the Office of the High Representative should remain in place and should continue to carry out its mandate under the Dayton Peace Agreement until the necessary objectives and conditions are met. The objectives set out in the Office's Work Plan need to be fully attained by the authorities in Bosnia and Herzegovina in order to ensure a viable State. The overall goal is to make the transition as soon as possible, and the policy of ownership remains the principle.

The European Union has a long-standing commitment to the stability of the Western Balkans region and will continue to fully and effectively support the European perspective for the Western Balkans, including Bosnia and Herzegovina. We highly appreciate and fully support the work of High Representative and EU Special Representative Miroslav Lajčák, whose efforts to ensure that Bosnia and Herzegovina evolves into a peaceful and viable democracy on course for integration into European institutions are indispensable. The European Union will continue to assist Bosnia and Herzegovina in taking further steps towards European integration.

The President: I now call on the representative of Serbia.

Mr. Jevremović (Serbia): Before I proceed to make my statement, I would like to express my respect for His Excellency Mr. Miroslav Lajčák, High Representative for Bosnia and Herzegovina, and His

Excellency Mr. Nikola Špirić, Chairman of the Council of Ministers of Bosnia and Herzegovina. I have read with due attention the latest report of the High Representative (S/2008/300, annex, enclosure) and have listened to the statements made and the views expressed here today.

Serbia has aligned itself with the statement made on behalf of the presidency of the European Union (EU), but I should like to make a few observations as the representative of a neighbouring country that is a guarantor of the Dayton Peace Accords.

Let me reiterate that Serbia fully respects the sovereignty and territorial integrity of Bosnia and Herzegovina, in accordance with the Dayton Peace Accords and the provisions of Security Council resolution 1785 (2007), which reaffirms its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders.

Serbia also fully respects the obligations emanating from the Dayton Peace Accords. We believe that their immediate implementation and strict compliance with all their provisions are of the utmost importance.

We have consistently supported all efforts aimed at stability, democracy and social and economic prosperity in Bosnia and Herzegovina. Serbia and Bosnia and Herzegovina are both committed to European principles and values on their road towards EU accession. We welcome the results achieved during the past six months, as pointed out here today.

We firmly believe that bringing to justice those who perpetrated the most heinous crimes in recent history is the common moral and political obligation of all countries affected by the tragic conflict in our region. We cannot but disagree with the statement made by the High Representative in his report, dealing with cooperation with the International Tribunal for the Former Yugoslavia, and we disagree with his appeal, in paragraph 29 of the report, to the relevant organs of the United Nations to "find a way to ensure that Serbia meets its legal obligations under both international and domestic law to arrest the fugitives" indicted by the Tribunal. Asking only Serbia, but not other States in the region, to arrest fugitives implies that all indictees are in Serbia. However, even in the 27 February 2008 declaration of the Steering Board of the Peace Implementation Council, annexed to the report, both Bosnia and Herzegovina and Serbia are asked to abide by their obligations under international law and to cooperate fully with the International Tribunal for the Former Yugoslavia in apprehending all remaining indictees. Therefore, we cannot agree with the wording in paragraph 29.

Furthermore, in the section on Bosnia and Herzegovina and the region, paragraph 63 states that judicial cooperation among Serbia, Croatia and Bosnia and Herzegovina is not entirely adequate, particularly over war crimes prosecutions. It is suggested that the main problem is that Serbia has done nothing to implement the verdict of February 2007 of the International Court of Justice in regard to indicted war criminals.

There is no doubt that regional cooperation in this field among the judicial institutions of those countries is essential. The regular meetings of the prosecutors of Serbia, Montenegro, Croatia and Bosnia and Herzegovina are held in the context of continuous cooperation in this field. As a result of regional cooperation and the joint action of the authorities of Serbia, Bosnia and Herzegovina and Montenegro, two high-ranking fugitives were located and arrested.

Serbia invests continuing efforts in strengthening cooperation with the International Criminal Tribunal for the Former Yugoslavia. In doing so, it has been guided by full respect for the international standards related to the individual responsibility of persons who committed war crimes. It is also proof of our genuine acceptance of the values that underpin European societies and modern human rights standards.

The President: There are no further speakers inscribed on my list. The Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.05 p.m.